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OPERATION Straight D

for Retail Liquor Merchants and Licensees

JESSE WHITE
Secretary of State

classes

Operation Straight ID Training

Fake IDs are used by individuals under 21 to purchase or otherwise gain access to alcohol. To curb the use of fake IDs, it is essential that liquor merchants and licensees be properly trained.

The Secretary of State's *Operation Straight ID* program offers free training to businesses and law enforcement agencies. The classes run about one hour and answer the following questions:

- What are the laws and penalties for using a fake ID?
- What are the special security features of the Illinois driver's license/ID card?
- How can fake IDs be detected?
- What should be done when a fake ID is detected?

Operation Straight ID classes are funded through a federal grant administered by the Illinois Department of Transportation, Division of Traffic Safety. Classes are offered across Illinois at the convenience of law enforcement agencies and retail liquor establishments.

For more information or to schedule a class, please call **800-596-2522.**

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alcohol

Illinois Laws Concerning the Sale of Alcohol

Liquor Control Act of 1934
(235 ILCS 5/6-16 and 5/6-20)

A common concern of retail liquor employees is: "Am I in trouble if I check the ID and serve the customer, but the ID turns out to be fake?"

- No one shall sell, give or deliver an alcoholic beverage to any person under the age of 21 years or to any intoxicated person. A person who violates this is guilty of a Class A misdemeanor and will receive a minimum fine of $500.
- Any person may refuse to sell, deliver or serve alcoholic beverages to anyone who is unable to produce adequate proof of age, or if they believe the identification is false, fraudulent, altered or belongs to someone else.
- No agent or employee of the licensee shall be disciplined or discharged for selling or furnishing liquor to a person under 21 years of age if the agent or employee demanded and was shown, before furnishing liquor to a person under 21 years of age, adequate written evidence of age and identity of the person issued by a federal, state, county or municipal government....including but not limited to a motor vehicle operator's license....or an ID card issued to a member of the Armed Forces. This paragraph, however, shall not apply if the agent or employee accepted the written evidence knowing it to be false or fraudulent.

licenses and IDs

Illinois Laws Concerning Driver's Licenses and ID Cards

Illinois Driver's Licenses
(625 ILCS 5/6-301, 5/6-301.1, 5/6-301.2 and 5/6-302)

The following crimes are Class A misdemeanors; subsequent offenses are Class 4 felonies:

- Displaying or representing as one's own any license or permit issued to another person (an impostor).
- Lending a license or permit to any other person or knowingly allowing the use thereof by another.
- Allowing any unlawful use of one's license or permit.
- Possessing any fictitious or unlawfully altered license.

The following crimes are Class 4 felonies; subsequent offenses are Class 3 felonies:

- Possessing any fraudulent license or permit.
- Altering or attempting to alter any driver's license or permit.
- Issuing or assisting in the issuance of any fictitious driver's license or permit.
- Manufacturing, possessing, transferring or providing any identification document, whether real or fictitious, for the purpose of obtaining a fictitious license.
- Possessing without authority any driver's license-making or permit-making implement.
- Displaying or presenting any document for the purpose of making application for a driver's license or permit knowing that such document contains false information.
- Knowingly making any false affidavit or swearing or affirming falsely to any matter or thing required by the terms of this Act to be sworn or affirmed.
- Possessing or displaying any fictitious, unlawfully altered or fraudulent license or permit:
  - for the purpose of obtaining any account, credit, credit card, or debit card; or
  - with the intent to commit a theft, deception, or credit/debit card fraud or any other felony; or
  - while in possession without authority of any other document, instrument or device capable of defrauding another; or
  - with the intent to use the license or permit to obtain any other identification document.

The following crime is a Class B misdemeanor:

- Advertising or distributing any materials or information that promote the selling, giving or furnishing of a fraudulent driver's license.

Illinois Identification Card Act
(15 ILCS 335/14, 14A, 14B and 14C)

The Illinois Identification Card Act mirrors the statute covering driver's licenses in prohibitions and penalties. Thus, the Act forbids fraudulent ID cards that resemble any official state ID card or uses any or all of the words "official," "state" or "Illinois," or other state name to modify the term "identification card," or that uses a map of Illinois or any other state. Possession of a fraudulent or unlawfully altered ID card is a Class 4 felony.

In addition, the Liquor Control Act (235 ILCS 6-16(a)) bans the possession or use of any fraudulent identification to purchase alcohol. Violators face a Class A misdemeanor, punishable by a minimum fine of $500 and at least 50 hours of community service.

Because many states (not Illinois) do not issue ID cards to persons who have a valid driver's license, be suspicious of out-of-state ID cards.

Unlawful Use of Driver's Licenses or ID Cards May Lead To Loss of Driving Privileges.

The Office of the Secretary of State has the discretionary authority (625 ILCS 6-206) to suspend or revoke driving privileges without a preliminary hearing for any person who violates any laws governing fraudulent driver's licenses and state ID cards, or anyone caught in the possession of someone else's valid driver's license or ID card. The Secretary of State does not require a conviction or even an arrest to act administratively. Evidence such as a copy of a police report and the Law Enforcement License Confiscation Report are all that is needed.

For a first offense, the driver's license suspension period is a minimum 12 months. For second and subsequent offenses, the penalty is license revocation.

security

Illinois Driver's License and ID Card Security Features

January 2008 – Present

- Card type indicator: Red — driver's license and CDL; Green — ID card; Purple — TVDL.
- Pattern with fine wavy lines in background.
- Date of birth in two locations.
- Ghost image of photo in bottom right corner.
- Organ/Tissue Donor indicator.
- UV, hologram, microtext and more.

January 2003 – January 2008

- Under age 21: "Under 21 until MM-DD-YY" and/or "Under 18 until MM-DD-YY" in red above photo.
- Social Security number removed from driver's licenses and ID cards for all classifications.
- Under age 21: Vertical format (began January 2005); "Under 21 until MM-DD-YY" and/or "Under 18 until MM-DD-YY" vertically alongside photo.

fake IDs

Detecting a Fake ID

What to look for:

- *Security features* — Carefully check security features to confirm that the card is legitimate.
- *Someone else's card* — Make sure the photo, height and weight on the card matches the person in front of you.
- *Expiration date* — Do not accept the driver's license/ID card if the date is expired — it is invalid.
- *Size, color, lettering, thickness, corners* — Compare the questionable driver's license/ID card against a "standard" — your own valid driver's license.
- If it is an out-of-state driver's license or for any reason looks unfamiliar to you, use an ID-checking guide. This is especially important in college and tourist communities.

If the ID presented is questionable:

- Ask for a second piece of identification. People with fake IDs rarely carry back-up identification.
- Quiz the cardholder about basic information on the card such as birth date, middle initial, ZIP code.
- Ask for a signature and compare it to the one on the card. People may try to memorize information on the card, but rarely do they practice the signature.

four steps

Four Steps for Handling a Suspicious Driver's License/ID Card

1. Advise the person presenting the suspicious license or ID card that he/she needs to wait while the document is examined by comparing it to an ID-checking guide. If the driver's license or ID card is possibly fraudulent, call the local police department.

2. If the person submitting the driver's license or ID card asks for its return, tell the person that he/she may have it as soon as the police come and check it, or the person can stop by the next day and pick it up. If a confrontation begins, return the driver's license or ID card.

3. If you were able to hold the license or ID card and the person who presented it leaves, walk outside and obtain the license plate number of the car he/she enters, if possible.

4. Give all information to the local police department, or call the Secretary of State Department of Police at 800-608-0561.

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